

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LEWIS MOSES BYRD,

Defendant,

Rule 35(a) permits a court to “correct a sentence that resulted from arithmetical, technical or other clear error.” Defendant’s argument does not fall within the purview of

Rule 35(a). Moreover, after reviewing the record, this Court concludes that no arithmetical, technical or other clear error occurred in Defendant's case and his motion is denied.

IT IS, THEREFORE, ORDERED that Defendant's Motion to Correct Sentence is **DENIED**.

Signed: February 9, 2006

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

